

**TOWN OF SCHODACK - COUNTY OF RENSSELAER - STATE OF NEW YORK  
ZONING BOARD OF APPEAL SEPTEMBER 11, 2017  
CALLED TO ORDER BY: CHAIRMAN CALARCO AT: 7:00 P.M.**

**PRESENT**

David Calarco, Chairman  
Ed Brewer  
Anthony Maier  
Attorney Robert Linville, Esq.  
Nadine Fuda, Director of Planning and Zoning

**MEMBERS ABSENT**

Lou Spada

**APPROVE MINUTES AUGUST 14, 2017**

Minutes could not be done due to Mr. Spada absent from this meeting and Mr. Brewer absent from the August 14, 2017 meeting. He cannot approve minutes for a meeting he was not present for.

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**Nadine Fuda, Director, read the hearing notice(s) as published in the Troy Record on the following variance application(s):**

**Bruce Herron Published on September 1, 2017**

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Public hearing open 7:01 p.m.

Public hearing closed 7:10 p.m.

Bruce Herron  
259 Boyce Road  
Proposed -front yard setback

Z769-17/RA/191-2-10

Bruce Herron, applicant was a present for this meeting.

Mr. Herron stated he is looking to build a detached garage. The reason for the location is due to the shale out crop in the back of the new construction.

Chairman Calarco asked about the map and if the property line is in the middle of the road.

Mr. Herron stated the home is very old and the line is in the middle of the road.

Chairman Calarco asked why the proposed building cannot be moved back another 3 feet back.

Mr. Herron stated the shale outcrop would need to be blasted or he could chip away at it but that would take a really long time to remove.

The Board members reviewed the area variance criteria.

## AREA VARIANCE CRITERIA

- 1) Can the benefit be achieved by other means feasible to the applicant? YES
- 2) Will the granting of the variance create an undesirable change in the character of the neighborhood or to nearby properties? NO
- 3) Is the request substantial? NO
- 4) Will the request have an adverse physical or environmental effect? NO
- 5) Is the alleged difficulty self-created? YES

### 6) Conditions:

- No more than 37 feet from the edge of the road
- no more than 47 feet from the property line
- of like construction and same materials
- no habitable space

Maier moved, Calarco seconded that the Zoning Board of Appeals be **LEAD AGENCY** relative to the variance only.

3 Ayes, 0 Noes, Motion carried.

Ayes: Brewer, Calarco, Maier

Oppose: None

Calarco moved, Brawer seconded a **NEGATIVE DECLARATION**.

3 Ayes, 0 Noes, Motion carried.

Ayes: Brewer, Calarco, Maier

Oppose: None

The Board members reviewed the area variance criteria.

Calarco moved, Brewer seconded that the area variance be **GRANTED**.

Brewer	Calarco	Maier	Spada
Yes	Yes	Yes	Absent

## ADJOURN

Brewer moved, Calarco seconded that the meeting be adjourned. There being no objections, Chairman Calarco adjourned the meeting at 7:30 p.m.

Respectfully submitted,  
Nadine Fuda  
Director of Planning & Zoning